

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE:

JUDITH A. LIEDER

Case No. 09-66112-WSD
Chapter 13
Hon. Shapero

Debtor(s).

JUDITH A. LIEDER

Plaintiffs

v.

Adv No.09-05993

GMAC MORTGAGE, LLC

Defendant

**JUDGMENT TO DETERMINE THE EXTENT OF
THE LIEN OF GMAC MORTGAGE, LLC**

This matter having come on to be heard upon the stipulation by GMAC Mortgage, LLC, and Debtors, Judith A. Lieder; having reached an agreement as evidenced by the signatures of their respective counsel; NOW THEREFORE:

IT IS HEREBY ORDERED that GMAC Mortgage, LLC, which encumbers the Debtor's' real property situated in the City of Jackson, County of Jackson, commonly known as 3880 Kirkwood, Jackson, Michigan 49203 as described below, shall be extinguished, terminated and discharged upon successful completion of debtors' Chapter 13 Plan.

Property located in the Township of Summit, County of Jackson, State of Michigan, being: **Lot 114, Westchester Subdivision Extension Number 1, according to the recorded plat thereof, as Recorded in Liber 21 of Plats, Pages 15 and 16, Jackson County Records.**

IT IS HEREBY ORDERED that the Second Mortgage in the Chapter 13 Proceeding of the aforementioned Debtors shall be abrogated and null and void if the Plaintiffs complete the Chapter 13 Plan and receive an order of discharge under 11 U.S.C 1328(a).

IT IS HEREBY ORDERED that Creditor GMAC Mortgage, LLC, secured proof of claim docketed at No. 2 on the Court's Claims Register shall now be treated as an allowed unsecured claim in this chapter 13 case.

IT IS HEREBY ORDERED that upon successful completion of the Chapter 13 Plan and receipt of an order of discharge under 11 U.S.C. 1328(a), the Second Mortgage shall be extinguished, terminated and discharged.

IT IS HEREBY ORDERED that in the event the aforementioned Plaintiffs do not receive a Chapter 13 discharge under 11 U.S.C. Section 1328(a) and the case is either dismissed or converted to a Chapter 7 then the lien of GMAC Mortgage, LLC, will be reinstated in full, minus any monies received in the Chapter 13 case.

IT IS HEREBY ORDERED that in the event that Creditor GMAC Mortgage, LLC, does not execute and deliver to the Plaintiffs any termination statement, or other document that is or may be required to by law to release and discharge the Second Mortgage, the Debtors shall be permitted to use the attached Consent Order along with the Order of Discharge as authorization for termination and release of the Second Mortgage.

Signed on September 21, 2009

_____/s/ Walter Shapero_____
Walter Shapero
United States Bankruptcy Judge